



Attorney/Docket No. 31132.122
Customer No. 000027683

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:
Eisermann, et al.

Serial No. 10/774,078

Filed: February 6, 2004

For: Instruments and Methods for Aligning
Implants for Insertion

§ Group Art Unit: 3731
§
§ Examiner: Unknown
§
§

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment
Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

The above-identified application was filed after June 30, 2003. Therefore, pursuant to the waiver of the requirement under 37 CFR 1.98 (a)(2)(i) as stated in a Pre-OG Notice dated July 11, 2003, copies of only the foreign patent documents and non-patent literature listed on the enclosed modified Form PTO-1449 are attached.

In compliance with the duty of disclosure under 37 CFR §1.56, and in accordance with the practice under 37 C.F.R. §1.97 and §1.98, the Examiner's attention is directed to the documents listed on the enclosed Form PTO-1449. Copies of the listed information are also enclosed. The undersigned first became aware of the cited patents by their inclusion in an International Search Report issued by the ISA/EP on PCT/US2004/004534, the PCT counterpart of the present application. A copy of the search report is enclosed.

The Commissioner is hereby authorized to charge any additional fees which may be required or credit any overpayment to Deposit Account 08-1394.

It is respectfully requested that the above information be considered by the Examiner and that a copy of the enclosed Form PTO-1449 be returned indicating that such information has been considered.

Respectfully submitted,

David M. O'Dell
Registration No. 42,044

Date: 11-22-04

HAYNES AND BOONE, LLP
901 Main Street, Suite 3100
Dallas, Texas 75202-3789
Telephone: 972-739-8635
Facsimile: 214-200-0853

Certificate of Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on 11-22-04

Bonnie Boyle
Printed Name

Bonnie Boyle
Signature

In place of PTO-1449 Form		U. S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		Complete if Known	
		NOV 26 2004			
INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>				Application Number	10/774,078
				Filing Date	February 6, 2004
				Applicant(s)	Eisermann, et al.
				Art Unit	3731
				Examiner Name	Unknown
SHEET	1	OF	1	Attorney Docket Number	

FOREIGN PATENT DOCUMENTS					
Examiner's Initials	Cite No.	Foreign Patent Document (Country Code - Number - Kind)	Publication Date MM-DD-YYYY	Patentee or Applicant of Cited Document	Translation Y/N
	B1	WO 98/17208	04/30/1998	SURGICAL DYNAMICS, INC.	Yes

NON-PATENT LITERATURE DOCUMENTS		
Examiner's Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article, title of the item, date, page(s), volume-issue number(s), publisher, city/country where published

**Examiner
Signature** _____ **Date
Considered** _____

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.